

Quid Novi

McGill University, Faculty of Law

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THE CLASSIC NEW-YORK INTERVIEW
PROCESS:



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Editor's Note

Dear all,
First off, let's review the errors made in last week's *Quid*. Boris Doyer's article, on behalf of the LSA Exec, was republished for no apparent reason. David Johnson's article was only partially published also without any rhyme or reason. The article entitled 'A Judenrein Palestine' was written by Lewis Percher although his name did not appear in the byline. This has no logical explanation either. It would be great if all *Quid* errors could be blamed on technology but that simply isn't very realistic. All I can say is we aren't perfect, we make mistakes and we appreciate your patience. Also, I should mention that when I say 'we' I actually mean I. Slowly but surely we are working out the numerous problems plaguing the *Quid* and things will get back to normal at some point in time.

I also wanted to make a quick remark about all of the space we've used in this issue to publicize buy nothing day. Actually, I think that whole topic deserves an entire article so that will be my project for next week (unless someone else wants to write it for me and become my new best friend).

Rebecca

Hala, I would really like you to know how grateful I am for your kindness. Thank you so much for helping find the owner of that lost wallet!

Merci mille fois,
Rosalie-Anne Tichoux
Mandich

Money, Money, Money...

by Marta Juzwiak, Law II

Now that I am Editor-in-Chief of the Quid & VP Academic, I almost never get to express my opinions in here. I want to bitch a little, so please bear with me. I am not writing the following on behalf of the LSA or the Quid, but on my own behalf.

When I ran for VP Academic last year, I wanted to change a lot of things. I still do.

I am extremely distressed that many of us have difficulty getting into the courses of our choosing. I find it ridiculous that we don't have proper power outlets for laptop computers in our classrooms. I think it's embarrassing that we have a wheelchair lift in the moot court that is too small to fit a proper wheelchair. I am very unhappy to hear Brigitte St-Laurent, our CPO officer, works 50-60 hour weeks for what is really a part-time salary.

Last year, we increased student fees to help pay for a new computer technician position, but he can't fix the sub-standard computers in the library lab. You may be surprised to learn that our professors are often paid lower salaries than professors at other faculties of law, including UdeM (and to those

professors who have chosen McGill over higher paying Universities, I extend my warmest, most heartfelt gratitude). And things would be worse if we didn't receive donations from alumni and corporate funding. The position of Assistant Dean is subsidized by a law firm. Our new IP professor, Richard Gold, is paid by a private company, not by McGill. I don't know what else is being privately funded, but I'm sure there is plenty more.

The underlying problem is a very basic one. We don't have enough money. The differential tuition fees many of us pay are not given to McGill; they are instead placed in a provincial fund which is then distributed across Quebec Universities. Tuition fees don't even come close to paying for our facilities, professors, and services.

I have spoken about this problem with my boyfriend, who graduated from McGill 2 years ago. He thinks that fees should be increased to cover a more substantial part of our educational costs, like they were in Ontario. But that, in my opinion, would drive away students who don't have the money, and make our faculty even more homogenous than it already is.

I cannot believe that our government doesn't think it is a pressing concern to fund McGill, and especially McGill law (which is a leader in legal theory), properly. I know it's easy to say that the government should pay for everything, but I am convinced that University funding IS the government's concern, not a private concern. It is part of the government's mandate to ensure that all individuals have a fair and equal opportunity to achieve success in our society, regardless of their socioeconomic origins.

Access to University should not depend on the size of a student's pocketbook. Money should never have been a factor in my decision between UofT and McGill. I am thoroughly disgusted that while many European states, which are generally less wealthy than Canada, somehow manage to keep University free or affordable for students, our country insists on placing an increasingly higher financial burden on the shoulders of students. Students pay for their educations many times over when they are taxed on their future salaries. It is up to public funding to ensure that everyone has an equal opportunity to do so.

In Response to the Special Message from the LSA

by Doree Levine, Law II

The following article was written a few weeks ago, the day after the LSA released it's Special Message via Noticeboard. It missed last week's edition because of technical prob-

lems, but I'm resubmitting it so as to add my [albeit now slightly outdated] two cents to Jerome Lussier's response in last week's Quid.

Let me begin by extending a hearty thanks the LSA and various authors of Quid articles for waiting

until the very week after NY and Toronto On-Campus Interviews to instill the fear of being blacklisted in those participating in the OCIs. There is nothing like after-the-fact criticism to make you feel like you nailed an interview.

I didn't lie on my CV for a summer job. But the fact that my 'date of graduation' was qualified by the word "expected" certainly couldn't have served as a source of clarification in a situation that is still confusing to me.

I have no qualms with the view that neither the Career and Placement Office nor the Faculty in general have the responsibility to police students so as to ensure honesty in resume-writing. No one questions whether I've padded my CV with membership in non-existent student clubs, whether I really play the jazz guitar or whether I ever in fact climbed Mount Everest. So too should no one have to question whether my graduation date is truthful.

However, if the LSA or individual students feel so concerned about "the reputation of future law students at this faculty", I can't help but ask where these comments were when they could have been used constructively. Sure, I know that "judges lunch with professors, lawyers drink with students" etc, but before lawyers were drinking with students last month at the OCIs, I don't recall these now-strongly-voiced recommendations ever being

sional repercussions that would result if I did not decide right away at which speed to progress. In Undergrad, we had to declare a Major. We were told by when we had to declare it, and that's what we did. If there is such a concern about the reputational effects of having students uncertain as to when they will graduate, then let the Faculty require a declaration of graduation date when students register. When info on applications for summer jobs start coming out in mid-April when we're still studying for finals, let them explicitly state whether or not students who are rolling along at regular speed (3 and a half years) should or should not apply as second year students. It is one thing for students to not be policed, it is quite another for students to have unclear guidelines that lead them to later be chastised for not adhering to guidelines that do not yet exist. When students congregate in the Moot Court for information on summer jobs in New York and Toronto in mid-September, with their peers in upper years generously giving their time to share their experiences, let there also be in attendance someone to advise that if you are a second year student who is anything but 100%

sure to be graduating the following year, only apply as a first year student – if that is in fact what has been

decided. If the concern is about reputation, let's nip this problem in the bud. If the concern is for reputation, let the Faculty remove the flexibility offered by the McGill Programme (that I personally think is one of its benefits). As far as I am concerned, the issue here isn't a concern for reputation. But I'll tell you - nothing works better than an environment characterized by accusations founded in unwelcome competition among students to

tarnish the reputation of a law faculty. I agree wholeheartedly that to lie about one's date of graduation when it is clearly impossible to graduate by that date is a reprehensible act.

Further, it is hard to be proud of one's peers securing snazzy jobs if they did so through lying, no matter what the lie was. There's no way around it: a lie is a lie, and lies aren't cool. BUT PLEASE, do not be so quick to confuse dishonesty with sincere and innocent uncertainty.

If "deciding on how sure one needs to be that one will graduate in three years before one tells future employers that one will, in fact, graduate in three years" is "a question of personal ethics", I again must strongly disagree with the LSA. The fact of the matter is that plenty of students honestly do not know when they will graduate. Well if that isn't the beauty of the McGill Programme! And finally, please don't tell me that "there's really no point in rushing things." Obviously someone out there thinks there is some point in all of us rushing things. Otherwise half of the students wouldn't have been sipping martinis and sucking back oysters last week without even the foggiest notion of what corporate law is or if they ever want to practice it.

There are plenty of wrinkles to be ironed out in the McGill Programme, as in any new undertaking. I doubt this is a shock to anyone who was involved in the structuring of the Programme, and there is no one to blame for it even if we were looking to point fingers (which I hope we are not). The fact remains that where things are unclear, students seek answers. When answers do not exist, students must still make decisions. Angry criticism that leads to a conclusion of a 'lack of ethics' is an unnecessary monster to unleash into a community that has already seen its fill of confrontation in the past few months. I'd much prefer to see the mentoring, friendly advice giving and camaraderie I am proud to have come to expect from this community.

PLEASE, do not be so quick to confuse dishonesty with sincere and innocent uncertainty.

articulated.

Perhaps before drawing such harsh conclusions, or accusations, as to the ethics of our 'legal community' we might take a peek into possible roots of the problem:

When I entered the Faculty, I was told that I had the option of graduating in 3, 3 and a half or 4 years. I was told that I did not have to decide then and there. I was told to "see how it goes." At no point did I hear of the reputational or profes-

Ethelred the Unready Moves On

by David A. Johnson, Nat IV

Recall that Ethelred the Unready was left to an enigmatic dilemma during his interview. Mr. Knickers (pronounced Kenickers), the lawyer at TLC has just posed "what is your greatest weakness?" before Ethelred's corpulent composure.

A rivulet of perspiration wove its way to his collar. Ethelred knew that he did not have much time. Surely the lawyers had to bill someone! Corrugating his brow (one furfuraceous lash of eyebrow hair descended airily), he remembered the rigid automaton's lesson, "be proactive, not reactive". No, that was not the one as he muttered Gordon Bennett silently. After a mental lapse of seventeen seconds, Ethelred suddenly harvested "turn a negative into a positive".

Ethelred blurted out, "I'm a perfectionist and I like to see through things to the very end". Ms. Robidoux arched an eyebrow. Ethelred continued, "Not everyone understands that and it can sometimes create antagonism among your peers." He stopped before he piled up a golden shovel full of the 'client is very important' and 'will work all night' idioms.

Mr. Knickers replied, "That is an interesting answer, Ethelred. Not everyone interviewed today seems to share your slovenly errr ... superlative dedication to the farm errr ... firm. I would like to thank you for coming out and choosing our firm. Best of luck and we hope to see to soon."

Ms. Robidoux offered her hand and coyly echoed her co-associate's words, "It was a pleasure to meet you and perhaps again in the near future."

Well, fillet of a fenny snake, he had survived. He might partake in one and one-half glasses of Liebfraumilch at 6:00. He should not

have such gourmandising thoughts during the ride in the elevator with such a trembling digestive tract.

Drinking three cups of Horlicks and eating half a loaf of crusty bread (he had bought two by mistake the day before), Ethelred the Unready had awoken at 5:30 a.m. on the next Friday and was ready for the callback. At 9:00 a.m. sharply, his telephone chirped melodiously. The caller identified herself as a Mme. Hugette, *directrice de ressources humaines* of the law firm Thibodeau, Lipschitz & Cumming-Cockburn.

"Monsieur Unready, c'est un plaisir de vous offrir un stage avec notre cabinet" she boldly stated and hung up the phone before Ethelred finished his *merci beaucoup*. Things were looking up.

We join Ethelred the Unready in his second week of his first summer at TLC. He was basking in the rambunctious success spawned upon the completion of his first mandate. The assignment came from M^e Terry O'Reilly, a chain-smoking, fiery tempered, and haired, sports lawyer.

"You see Ethelred, I got this client called Guy Lafleur", M^e O'Reilly stammered.

"Oh, I know, I know", Ethelred cried eagerly, interrupting M^e O'Reilly and wanting to demonstrate his cosmopolitan skills in the realm of trivia, "He was the great hockey player for the Montreal Canadians."

"To be sure, to be sure", M^e O'Reilly continued, "In any case, Mr. Lafleur needs my help in ensuring that he receives the most favourable financial terms possible in this new endorsement contract. He is the new spokesman for Viagra. Due to wilting sales in Canada, the company needed a dynamic and famous local personality. I want you to verify the terms of

this contract (giving Ethelred some papers) and see if anything has been omitted. You have studied contracts, haven't you?

"Yes, most certainly," Ethelred had replied, "A contract is formed when there is the meeting of the minds; it is almost a magical moment. In the *Québec Civil Code*, the basic provisions are ..."

"Enough already", M^e O'Reilly retorted, "I haven't the time for a

Ethelred had decided that Guy Lafleur had an image to uphold.

lesson. Just come and see me in, let's say, two days."

Ethelred had thanked him and dashed off to begin his assignment, nearly bumping into M^e Robidoux carrying a generously sized cup of coffee. He had no time to talk other than to utter a strangled *bonjour* and *comment allez-vous* (he hadn't worked himself up to use "tu" just yet). Were those Fraunhofer lines on her nylons? There was nothing wrong with the terms of the contract (except for two split infinitives which Ethelred had highlighted in yellow). Mr. Lafleur would receive \$500,000 per annum plus a bonus if a certain level of sales was reached. Ethelred, however, did not want to come back empty-handed, appearing as if he spent the day seducing the canine. Instead, he dug a little deeper.

Ethelred had decided that Guy Lafleur had an image to uphold. As a man of celebrity stature, surely more rewards were owed to this icon. Grappling with his Yorkshire common sense, Ethelred came up with two ideas. Firstly, the slogan "flower power" derived from Guy's glory days should be copyrighted and used



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in the advertising campaign. Secondly, an image of Guy, charging the net on the right wing with his lustrous, blond mane flowing behind him, like some gonadotrophic giant, should be placed on the front of the vial. Ethelred had scrapped the idea of draping Guy in some Priapistic robe because he thought a hockey player dressed in a toga would not increase sales and only serve to confuse a gentle populace. Besides, who would be thinking of the classics at that time? Methinks, I have a winner, employing the colloquial; silently of course. Ethelred applied a thin layer of mint balm to his lips.

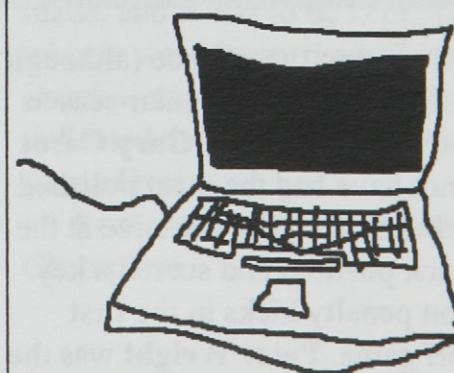
M^c O'Reilly was tickled pink (actually red) and muttered "lordy, lordy" when he grasped Ethelred's mandate. Perhaps, Ethelred would receive an inter-office memo gushing with maple syrup and a stellar thank you like his new colleague Hadrian

Schubert. He would pin it up on his wall just like Hadrian, the lucky dog. Good joss indeed!

It was the second, third and fourth mandates that troubled him. Not so much the content of any of them, but rather the annoying fact that each lawyer had insisted (one with a wavering index finger) that their mandate was to be worked on exclusively until completed. He had just received them. The deadlines for all three were in a week. The whole mess was manically iniquitous. His vorpal blade shattered.

What should Ethelred the Unready do? Can you help him out? You may e-mail him at ethelredu@hotmail.com. His dilemma will be solved in the next *Quid Novi*.

Submit to the Quid.



Law's Rossoneri Triumph in Intramural Soccer

MOLSON STADIUM, MONTREAL: 15 other teams couldn't stop a deep, talented and gritty law team from capturing the Men's B Intramural Soccer championship two Thursday's ago here at McGill's Molson stadium. The boys from the law faculty scored 15 goals and allowed only three en route to a perfect 8-0 season.

The club was led by sweeper **David "Canon" Ranalli**, the team MVP, the toughest and most determined player on the field at any time. Not only was he indispensable on the back end, he also calmly deposited not one, but two penalty shots in the final game (after the first was called back due to a technicality). The rest of the defence was stellar throughout the season. The group allowed only two goals (one coming via penalty kick), with **Tim Theroux** supplying muscle at the back end and trash-talking the other team and their mothers. Wing back **Osman Aboubakr**'s deeks may have struck fear in the heart of his 'keeper, but he rarely was stripped of the ball and

Poseidon Retsinas' versatility allowed him to add pace at both the defensive and mid-field positions, and also found the skill to set up a few goals. **Julio Lagos** was the veteran presence on the team, providing steady leadership and ball control on both the back end and midfield. **Casper Bych** played mid-field and striker for much of the regular season, but was outstanding filling in on defence in the playoffs, driving the opposition forward to a red card and playing an extremely gritty defensive game.

The midfield was led by the close-knit foursome of **Ben, Max, Shaun** and **Andrew** (just first names, like the best Brazilian players). A workhorse on the right side, Andrew was the most vocal of all the Rossoneri players, pushing for better play while executing the crucial plays at crucial times (and also collected a shut out in his only appearance in goal). Ben added skill and a deft touch to the left side, setting up several goals and chances. Providing a powerful and intimidating presence was a player of smaller stature, Max zealously tackled opponents that

ventured through the middle of the field despite numerous injuries. Perhaps the best two-way member of the group, Shaun not only scored but prevented goals, and led the team in yellow cards with three – and no doubt

fullbacks' lives easier, and allowed the strikers to weave their magic in the box without worry of turnovers.

Of course, even stellar defence and a rock-solid, playmaking mid-field will yield nothing without pure talent at the striker position. A trio of such strikers patrolled the opposing 12 yard box this season, led by import (from management) **Bud Newton**. Carried by his lucky white socks, this finisher scored five goals over the season, to lead the team in scoring. **Cullen Price** constantly pressured opposing defences with his speed and knack for controlling the ball in the box. **Mike Arnott** stepped up and scored a few goals after some early season missed opportunities (including a cross bar and a miss-hit ball from in close). Overall, scoring was not a problem on a team that usually controlled the play up front.

After breezing through the regular season unbeaten and virtually untested, the Rossoneri faced perhaps their greatest scare in their first round opponents, the Sass. 44 minutes of regulation time in the pouring rain solved nothing, as a couple of missed opportunities late in the game after strange hops in the goal crease came back to haunt the eventual losers. It would come down to a skills competition after a fierce battle on the drenched pitch, with five penalty shots a side. After trading goals on the first three shots on goals by Mike, Gary and Ben, Shaun scored on their forth shot to put his team up 4-3. The Sass struck their forth shot right into the arms of the Rossoneri 'keeper, who merely had to stand there to make the save. Cullen had the chance to end the game, but alas, his shot was stopped by a diving Sass keeper. On the final Sass shot, and with his teammates chanting his name from midfield, the Rossoneri keeper slid to his left to block the last shot, and the Rossoneri would live to play again.

The next playoff game turned out

Despite playing the final game on a twisted ankle, the Canon looked relaxed and confident, almost nonchalant.

helped support the offence (although he looked awful in a regular-season penalty shot situation). **Gary Carot** may not have had the most polished style, but was highly effective at the left back position and scored a key goal on penalty kicks in the first playoff game. **Peter Wright** was the most versatile of the fullbacks, playing all defensive positions, and often relieved opposition pressure with a towering clearing shot.

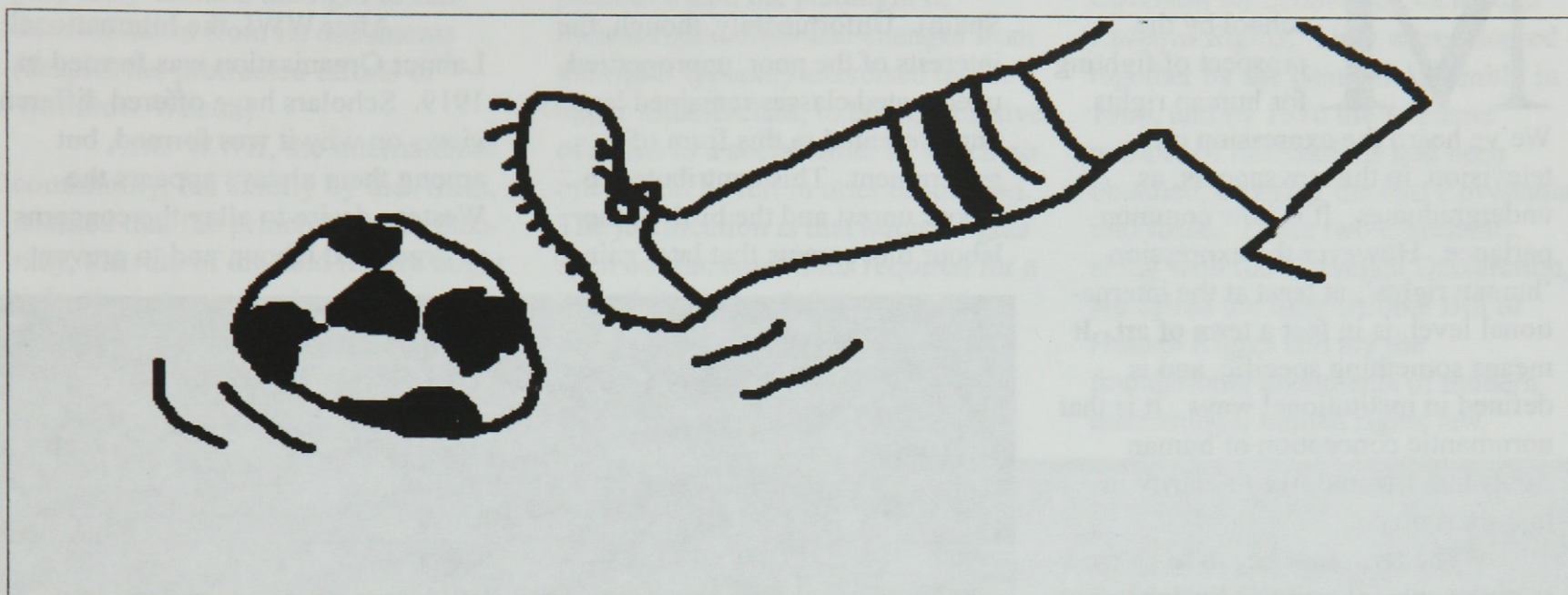
due to his aura, only he could get away with three and not be suspended. **Ihab Serour** pressured opposing defenses with his speed and tenacious style, while **Stuart Van Leenan**, despite missing half the season due to injury, still managed to add, shall we say, grit (one yellow card and a near-red in the first game alone, no one pushed this ball of muscle around the pitch). This strength in mid-field made the

to be an easier exercise, as the red-and-black won handily 2-0. A 1-0 triumph in the semi-finals (again in the rain) in a hostile environment packed with MISN Reaction supporters put the Rossoneri into the finals against another MISN team, Hot As Hell.

The first half was all Rossoneri, as they went up 1-0 on a pretty little

"You guys go out and win it in overtime, and if you don't, I'll win it in penalty shots!" the confident and fired-up keeper reportedly assured his teammates. Would this bold prediction go down in sports history with the Babe calling his shot, or Mohammed Ali's rhetoric preceding the Rumble in the Jungle? Or would it be just another boastful yet hollow

perhaps in a sign of providence, team MVP Dave Ranalli placed the ball on the spot. Despite playing the final game on a twisted ankle, the Canon looked relaxed and confident, almost nonchalant. He powered the ball into the net, but the goal was called back by the referee, who claimed he had not blown the whistle. Another player may have succumbed to the pressure



play clinically finished by Bud Newton. Early in the second half, Mike Arnott doubled the lead, but he and his teammates may have been thinking ahead to dreams of drinking out of their championship mugs. Hot As Hell came roaring back, scoring a penalty shot goal after a badly played ball in the crease by the keeper, and an absolutely gorgeous cross-box header. The mental toughness of the Rossoneri showed, as they regrouped and put the pressure back on the opponents, enduring the taunts and chants of an overwhelming pro-MISN crowd. Golden goal overtime solved nothing, although the Rossoneri carried the play for much of the extra-time. Again a play-off game would come down to penalty kicks, but this time the stakes were much higher.

A perfect season until this time could be shattered at the very last of possible moments. However, the rumour milling around after the game was that after regulation time, the Rossoneri keeper collected his teammates and guaranteed victory.

expression that could not be backed up?

Unlike in hockey, goalkeepers are at the distinct disadvantage in soccer when facing penalty shots. Players are expected to score, as Roberto Baggio's experience during the 1994 World Cup can attest. And this was proven through the first four shots of both teams. Ben, Shaun, Andrew and Bud all calmly yet confidently stepped up to the spot and placed the ball in the corner of the net. The opposition replied in kind on the first three shots, but put the fourth shot into the waiting arms of the keeper. However, penalty kicks are not a given; the worst a striker can do is over-think. After missing an opportunity in the first playoff game that must have been weighing heavily in his mind, Cullen Price once again awaited the referee's signal. The shot was hard yet high, and just grazed the top of the crossbar. Not letting this opportunity slip by, the next shot by MISN was a clinical strike into the corner of the net. It was now sudden death penalty shots. Fittingly, and

of duplicating a penalty shot goal. Not the Canon. Again appearing very calm, he absolutely smashed the ball by the keeper. The ball probably passed no more than a foot or two from the helpless goaltender, but there was nothing he could have done to stop a shot like that. Now it came down to a make or break kick for the opposition.

Again in the background the chants rose up. They must have known, though, that it was rare for a keeper to actually save a penalty kick, especially given the skill of the MISN shooters. But a guarantee was made, and it was to be kept. The whistle was blown, the ball was struck – and an outstretched hand deflected the ball off the post and out. Game Over.

Rossoneri - 2001 Intramural Champions.

This is the first of a three-part series on Human Rights

What are Human Rights?

by Jeff King

Many people are attracted to law school by the prospect of fighting for human rights.

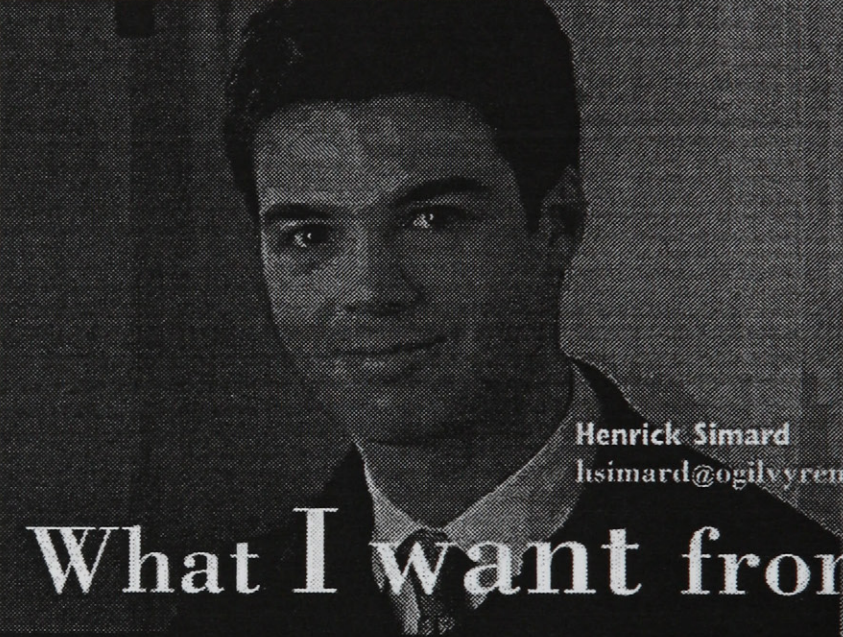
We've heard the expression on television, in the newspapers, as undergraduates. It is now common parlance. However the expression 'human rights', at least at the international level, is in fact a term of art. It means something specific, and is defined in institutional ways. It is that unromantic conception of human rights that I would like to clarify in this short piece.

The term first began to be used in philosophical writings by John Locke in the *Second Treatise on Government* (1690) and, somewhat, in Rousseau's *The Social Contract* (1762). These were essentially extensions of natural law theory, the argument being that human beings are by natural or divine endowment entitled to certain conditions of life, and therefore enjoy rights to such conditions. The ideas were later concretised politically during the American Revolution (1776): "We hold these truths to be self-evident, that all [white, propertied] men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness." The French Revolution came shortly after, with its *Declaration of the Rights of Man and Citizen* (1789). These documents are of seminal importance, but arose under certain political conditions. The growing bourgeois class in both societies was an acknowledged political force without a voice. It took that voice by force, on the basis that all property-owning citizens ought to have a say in how the government of the polity is run (which, one might add, is a more noble basis than the one

upon which power in Latin America was seized by local elites from Spain). Unfortunately, though, the interests of the poor, unpropertied, uneducated classes remained largely unrepresented in this form of government. This contributed to labour unrest and the birth of the labour movements that later gained

tremendous power in Europe and North America.

After WWI, the International Labour Organisation was formed in 1919. Scholars have offered different views on why it was formed, but among them always appears the Western desire to allay the concerns of organised labour, and to prevent



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them from taking up the hammers of the new Communist spectre. This is perhaps the first modern day international human rights organisation that had as its main function the articulation, dissemination and supervision of moral norms. The League of Nations, despite its attempt at achieving peace, contained either no or few references to human rights and purposely omitted the right to self-determination from its documents (despite the protracted efforts of Woodrow Wilson).

After WWII, the international community, led chiefly by the Allies, decided that the principles of democracy, the rule of law and liberty ought to be the international norm for good governance. The Charter of the United Nations included commitments to human rights ('Purposes' Art. 1, 55; 'Action' Art. 56) and the proposal to establish a Commission on Human Rights (Art. 68). That Commission was formed in 1946, and was composed of state-representatives who were explicitly mandated to, as you would expect, represent the interests of their states. As the Cold War heated up, the Commission became a battleground of ideas. Nonetheless, it succeeded in drafting the Universal Declaration of Human Rights, and submitting it for adoption by the General Assem-

bly in 1948 (48-0 with 8 primarily Eastern Block abstentions). That Declaration contains the usual civil rights to be tried by an impartial tribunal, not to be tortured, to vote, express yourself freely blah, blah, blah, but also contains four articles that refer to economic and social rights to education, health and social security (Arts. 24-28). This is the point at which the paradigm of human rights discourse changes from the rights typically exercised by the upper middle-class, to being inclusive of rights to a social order in which no one would be left in utter destitution. The justification is that human rights spell out the conditions required for a life of dignity, and that no person living in abject poverty can lead a dignified life.

That Declaration was a non-binding pronouncement, but was later interpreted as defining the content of "human rights" as it appeared in the Charter (giving rise to treaty obligations) and was also deemed to be part of customary international law.

At the time, though, the non-binding character was seen as the normative pronouncement of what was to come later; namely, legally binding international commitments in the field of human rights. The Commission

began to draft an International Covenant on Human Rights, which failed on the issue of including civil and political with social and economic rights in the same document. The Commission, and ECOSOC, resolved instead to create two Covenants. They were called the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights*. They were adopted together by the General Assembly in 1966, and by 1976 the requisite number of ratifications had been obtained, bringing the two Covenants into force. Those two Covenants, along with the Universal Declaration, are called the International Bill of Human Rights and are the foundational documents of modern international human rights law.

The growing bourgeois class in both societies was an acknowledged political force without a voice.

Since then, the Commission has engaged in a hearty amount of drafting activity. It created conventions on racism, on the rights of women, children's rights, torture and most recently the rights of migrant



(See Notice on Page 20.)

workers. Most of these conventions create a committee (e.g. Committee on the Rights of the Child). These committees examine reports submitted by States pursuant to their obligations under the convention, and in most cases alternative or 'shadow' reports submitted by NGOs. The Committees also issue jurisprudential documents, known as General Comments or General Recommenda-

tions, which clarify the nature of the obligations under the relevant conventions. The Committee on Economic, Social and Cultural Rights, for example, currently has 14 General Comments which range from issues such as the use of sanctions, to a comprehensive 15 page explanation of all of the obligations associated with the right to health under the Covenant. The General Comments,

together with the Concluding Observations on state reports, are the primary source for understanding the scope of those UN human rights treaties.

This may all be understood more clearly by considering the following chart:

Instrument	Adopted	In Force	Treaty Body that Reviews State and NGO Reports
Universal Declaration of Human Rights	1948	N/A	N/A
International Covenant on Civil and Political Rights (ICCPR)	1966	1976	"Human Rights Committee" [a title that still offends social rights activists].
International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966	1976	Committee on Economic, Social and Cultural Rights (CESCR)
Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1965	1969	Committee on the Elimination of Racial Discrimination (CERD)
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	1979	1981	Committee on the Elimination of All forms of Discrimination Against Women (CEDAW)
Convention Against Torture (CAT)	1984	1987	Committee Against Torture (CAT)
Convention on the Rights of the Child (CRC)	1989	1991	Committee on the Rights of the Child (CRC)

One mystery that may never be resolved is why it is institutionally acceptable to have the same acronyms stand for both the convention names and the committee names; this has puzzled me, and ultimately left me exhausted and clueless.

So if one asks you, "What do you mean by 'human rights'?" you

can answer with confidence that you mean the rights set forth in the Universal Declaration and the six main treaties in the UN human rights system. There is a lot more to the UN system of human rights protection, and there are also regional systems in Africa, Europe and Latin America. But by and large these

documents provide the safe, albeit unromantic, institutional answer to the question of the definition of human rights.

ANNIE MACDONALD LANGSTAFF

HUMAN RIGHTS LAW AND INDUSTRIAL CITIZENSHIP :

CANADIAN AND AUSTRALIAN
COLLECTIVE LABOUR LAW AT THE CROSSROADS

Professor Ronald McCallum

Blake Dawson Waldron Professor in Industrial Law
Faculty of Law, University of Sydney

NOV. 21 @ 12:30P.M.
ROOM 202 NCDH

Professor McCallum's contention in this presentation is that human rights and industrial citizenship concepts should be utilized to argue for the establishment of mechanisms whereby employees have the right to participate in the governance of their places of work. Workplace governance takes many forms, including collective bargaining, compulsory arbitration, independent works councils, and other arms length consultative mechanisms. Professor McCallum is currently on leave in Quebec City conducting research.

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ATELIERS 2001-2002 WORKSHOPS

(See Notice on Page 20.)

Teaching Excellence Awards

Dear students,

have you had an excellent professor this semester whose efforts deserve to be recognized? If so, please take the time to fill out this form, attach it to a little blurb about professor wonderful, and drop it all off in the VP Academic mailbox at the LSA.

Sincereley, Marta Juzwiak, VP Academic.

John W. Durnford Award for Teaching Excellence Nomination Form

Nomination Procedure:

There will be two nomination periods for teaching awards this year, but only one award (the winner will be determined in April 2002). For the fall session, the nomination period is November 9th through November 19th inclusive.

Les formulaires de mise en candidature dûment remplis doivent être retournés au casier du V.P. Academic au bureau du L.S.A.

Any student of the faculty can nominate a professor, but they must be enrolled in the course taught by the professor in question.

Les formulaires de mise en candidature dûment remplis doivent être accompagnés d'un court texte mettant en valeur les qualités du professeur lui méritant, selon l'étudiant, le prix de cette année.

In nominating a professor, nominators may want to provide information, among other things, on the professor's enthusiasm, clarity of presentation, mastery of subject matter, availability outside of lectures, and ability to stimulate interesting class discussions.

En soumettant la candidature vous pouvez inclure toutes autres informations qui vous semblent pertinentes et qui pourraient éclairer le comité dans son processus de sélection (e.g. plan de cours.)

Nomination sheets must be signed by the nominator and five other students who are or were enrolled in the course for which the person is being nominated.

Nominator's name <i>and</i> Signature:	
Nominator's Year:	
Professor Nominated:	
Course:	

Name	Year	Signature
1.		
2.		
3.		
4.		
5.		

Arabs, Jews, Countrypersons! – Lend me Your Ears! – I'll be Short and Sweet, Promise!

by Ashfaq Khalfan, Nat IV.

Some of the articles in the *Quid Novi* are getting overly confrontational, stereotypical and have put forward some disturbing propositions. Although the *Quid* has an open philosophy of permitting all articles (barring overly offensive material) into the magazine, it relies on the good sense of the law students to ensure that their articles are respectful and aim for constructive debate. As such, the writers have to take on the burden of being editors as well. A practical way of doing this is for a writer to colleagues read through the article before submitting it and to point out areas where one has let anger carry the day.

I am a little unhappy at having to write this article, what with four term papers hanging over my head, but it really is up to those who care about the need for constructive debate, and who can make a serious effort to put oneself in the other person's shoes, to step up to the plate. I'll try to do this in this article and to avoid cheap shots.

I will address the following issues: (1) Why Arabs attacked Israel, (2) The Occupation, (3) Right of Return. I will avoid the temptation to comb through previous articles to point out errors – with one exception. The 'international community' was criticized on the basis of Libya and Sudan's election onto the UN Human Rights Tribunal. The reference was to the UN Human Rights Commission – which is not a Tribunal, but is really a forum for the UN to discuss human rights violations (some would say 'talk shop'). Remember, there are a wide variety of other bodies composed of independent experts that assess states for their compliance with the various human rights treaties (such as the *International Covenant*

on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights).

The UN Human Rights Commission is a political body which has to represent various regions of the world. There would be problems if the body had to divide nations into those that have a good human rights record, and those that do not. Indeed, if one looks at a wide range of human rights; civil, political, economic, social and cultural – the United States – for example, which neglects the right to health care in

I am extremely concerned at previous statements that the reason for denying independence to the Palestinians is terrorist bombings.

spite of its available resources, might fare quite badly. The point of this digression is that if we are to criticize the international community, we should not focus on the composition of a subsidiary political body, but rather criticize it for its real failings; such as its inaction in the Rwanda and Bosnia genocides and the Security Council's decision to target the Iraqi people for the sins of its leader.

Before I begin – I'm getting there, I promise – I'll declare my interest. I'm not part of the nationalities involved; I'm a Kenyan Muslim and try my best to be non-dogmatic (I am quite willing to (and have) critiqued Muslim states that have unfairly treated their non-Muslims minorities). I first learnt about the Israel-Palestine conflict not from a *madrasah* or a lefty university professor, but in a Catholic open-minded Nairobi school run by Irish Holy Ghost Fathers. The history

teacher, Mr. Williams, was a Welsh Oxford graduate. Why all this self-indulgent history (aside from innate verbosity)? – Given some of the personal attacks on the backgrounds of writers (one writer simply assumed that another writer had, on her "summer stint in Ramallah," never spent time in Israel), I'm merely trying to make it hard to find a stereotypical 'frame' to my arguments.

1. Arab Attacks on Israel:

Some of the previous articles began the story in 1948 – with the Arab attacks on the newly proclaimed state of Israel. This is misleading. It is far better to consider 1917 A.D. (Balfour Declaration) and even 70 A.D.

A serious scholar cannot deny that the Arab attack was understandable. Palestinians had occupied Palestine for thousands of years. In the 20th century, the common approach to legitimise possession of state territory is based on recognizing the *status quo*. The self-determination of a 'people' includes the land upon which they inhabit. Most Jews in Palestine had arrived in the 20th century without the consent of the Palestinians and with the support of the British – who had a mandate over Palestine after 1919. The establishment of Israel and the refugee movements of 1948 was seen as a manifestation of Western colonialism. The Israelis, in turn, rested their claim to part of Palestine on the basis of their historic occupation of much of Israel prior to their expulsion by the Romans in 70 A.D., as well as their religious ties to the land. In addition, the creation of Israel was justified on the basis of the need of European Jews for a homeland, on

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the basis of widespread anti-Semitism, particularly after the Holocaust. However, this argument was easily challenged. To allow settlement on the basis of historic occupation and religious attachment would be a recipe for international conflict and chaos. The Arabs also pointed out that Europe, and not themselves were responsible for the suffering of the Jewish people.

My aim in summarizing some of these arguments is not to challenge the right of Israel to exist. The Palestinian leadership and Israel's neighbours are willing to concede this point. I am simply pointing out that the Arab-Israeli wars were a clash over competing conceptions of justice. The Arab attacks on Israel are no excuse for denying the Palestinians their rights. Rather than focusing on this history, we should really move to the stage of finding solutions to safeguard the needs and rights of both Palestinians and Jews.

2. The Occupation of the West Bank, Gaza and East Jerusalem

The outcome of the Arab-Israeli conflict is that Israel has won the war. The Palestinian leadership and Israel's neighbours have accepted that Israel will retain its 1948 borders. Israel is now the most powerful state in the region, and has peace treaties with Egypt and Jordan. Its neighbours no longer pose a significant threat. Israel held on to the occupied territories for security reasons

and as a bargaining chip to achieve peace with the Arab states. Whatever the merits of that policy, in the contemporary situation, any threat to Israel's security is not from its neighbours, but rather from the discontent created by the occupation. It is the occupation itself that led many Palestinians in this area, relatively quiet from 1948 until 1987, to mobilize and to engage in armed conflict to end the occupation.

I am extremely concerned at previous statements that the reason for denying independence to the Palestinians is terrorist bombings. That is not entirely true, the delay in independence is due to the fact that Israel and the Palestinians have not agreed on final status, and this is a cause of insecurity on both sides. The refusal of Israel to negotiate with the Palestinians only delays the problem, as is George W. Bush's shameful disavowal of American mediation. Let us not forget: Israel has clearly won the war to keep its 1948 borders. Even if there may be some possibility that militants in an independent Palestinian state choose to attack Israel, Israel has ample means to protect itself. Attacks on Israel are more far more likely at the present stage than if there were an independent Palestinian state (and especially if there were a reasonable solution to the refugee issue – see below). Israel should show the Palestinians that they can regain their legitimate entitlements, thereby making it politically feasible for the leadership

to crack down on militants.

One cannot justify the attacks on civilians carried out by Hamas and Islamic Jihad and Arafat's failure to effectively crack down on these group's armed wings. However, terrorist acts by some do not justify the denial of the millions of people their right to self-determination. Israel's forces have engaged in many attacks on civilian stone-throwers, demonstrators, and bystanders. It has engaged in shelling of civilian areas. Do not take my word for it – refer to the reports by Human Rights Watch and Amnesty International. The Palestinians see these acts as state terrorism. They see themselves as being subjected, quite rightly, to a double standard – violations of humanitarian law by Palestinians lead to a denial of their rights and measures of collective punishment. They are seen as the party that must prove that they can co-exist with Israel.

Is it then not surprising that Palestinian mothers support their children fighting battles against those in occupation of their land? I was surprised to read in last week's *Quid* about CNN showing "children toting guns at Hamas rallies, and mothers praising their children for being *shahids* (translation: martyrs)?" Of course, if CNN is showing these pictures, then it must represent the acts of a significant proportion of Palestinians! Similarly, the settlers shown venerating Baruch Goldstein as their hero shows that all settlers are Rambo-ish extremists! The state

funeral given to Minister Zeevi shows that Israel officially agrees with his opinions on the Palestinians' issue!

Finally, Palestinians do not believe that the consequence of ending the intifada would be the transfer of the occupied territories. The building of settlements in the occupied territories – unfortunately permitted by the United States – leads many to believe that Israel, or at least many elements of Israeli opinion, intend to hold on to such a proportion of the West Bank as to make a viable Palestinian state impossible. Although Barak did offer most of the West Bank to Palestine, this offer was premised on the Palestinians renouncing, as a trade-off, the right to return for refugees and accepting only administrative control – not sovereignty – over their holy sites.

3. The Right to Return

This is the most intractable of issues and indeed the one that provoked the most disturbing reasoning. According to Alain Murad, the Palestinian 1948 refugees cannot return to Israel, because "they harbour the deepest enmity towards it [Israel] and its inhabitants." To permit return, Israel "would be inundating itself with many individuals who harbour the same sort of beliefs towards Israel and Jews as some of the most radical terrorist groups." This stereotyping of a massive character and deeply pessimistic. Applying this logic could have serious repercussions: Jews in Iran, for example, should be expelled because they 'hate' Muslims, Kosovo Serb refugees should not return into Kosovo because they 'hate' Albanians, Bosnian Muslims cannot return to Srebrenica because they 'hate' Serbs, Black South Africans should not have been granted the right to vote in 1994 because they 'hated' whites and would oppress them in a post-apartheid South Africa, and so on.

We must avoid also revisionist accounts of why 600 000 Palestinians

left the state of Israel in 1948. Let us not forget that Jewish militia groups carried out various massacres, including of the 250 inhabitants of the village of Dir Yassin in 1948. The Palestinian refugees clearly had a well-founded fear of persecution. It is all too convenient to say that they chose to leave on the urging of Arab leaders and therefore cannot return. It was incorrect for Alain Murad to use an immigration analogy to deny the right to return. States control immigration because they have the right to do so. However, a refugee from a state does not have to fulfill immigration criteria, he or she simply has the right to do so. It is inconsistent to hold up an immigration analogy for Israel's refugees and at the same time imply that the Israel's Arab neighbours have no choice but to 'absorb' the Palestinians. Many writers justify their arguments on the basis that some Arab states expelled Jews. Obviously those who were forced to leave should have a right to return to these Arab countries or to compensation. However, one cannot take the responsibility for the acts of some Arab states and place it on the Palestinians.

Let me offer a non-offensive and reasonable argument for Israel on this issue. First, Israel can ground its claim on the right to self-determination of the Jewish-Israeli people. This would require a state in which they constitute a significant majority of the people. However, the contrary argument is that self-determination of one people cannot trump the human rights of others. Therefore, Israel should allow the 1948 refugees to return. However, if necessary, it would be within its rights to set aside some areas of Israel to which the refugees were historically based and annex these to the Palestinian state – thereby ensuring a large Jewish majority. Alternatively, Jewish self-determination could be safeguarded without territorial changes. Israel could re-structure itself as a consociational or power-sharing state on the model of Switzerland or Belgium whereby both the Palestin-

ians and Jews have autonomy for their communities and where common decisions would be made jointly.

Therefore, the denial of the right to return cannot rest only on Jewish-Israeli self-determination. Security concerns could only justify the exclusion (and compensation) of a small minority of Palestinians with military backgrounds. How about seeing this as not really a question of 'rights' but rather one of 'interests?' After all, I suspect that many Palestinian refugees would not want to return to Israel. More of them would be happy to renounce their right and of their children in return for adequate compensation. This approach could be coupled with negotiations with Arab states for them to offer citizenship to Palestinians where they have not done so already. There may be a problem in relation to the 300 000 Palestinians in Lebanon. Lebanon has a delicate political balance between Christians and Muslims (and the sub-groups, etc.). The grant of citizenship to the Palestinians would create instability in Lebanon and is not a realistic possibility. However, this number of Palestinians is small enough for Israel to absorb without discomfort.

Israel is not exactly offering the latter solution. It is stating that the right to return will be denied to most Palestinian refugees, but compensation will be offered. That is a step in the right direction and more moral than simply ignoring the problem. However, it is still based on the denial of the right to return. This approach contends is that Israel, as the more powerful party, gets to have disproportionate say in the resolution of the conflict. Obviously power, rather than rights or mutual interests, prevails in international politics much of the time, but we have to be honest about it and avoid moral window-dressing.

I've said enough. As I promised, short and sweet – especially since I began in 70 A.D. I hope that we will have more constructive debates on this topic in the next few months.

Remembrance Day Quiz Answers

by Stephen Panunto, Law II

I know that there were only a couple of days for everyone to respond, but I must say I was still underwhelmed by the response. Only one person ventured an email response (although a couple more spoke to me in the halls). Well, I guess I will remain disillusioned with the state of Canadians knowledge of their own history.

1. Poppies are worn because of Canadian soldier John McCrae's poem, *In Flanders Field*, which he wrote after the Battle of Ypres left the battleground covered with blood – or like a field of red poppies.

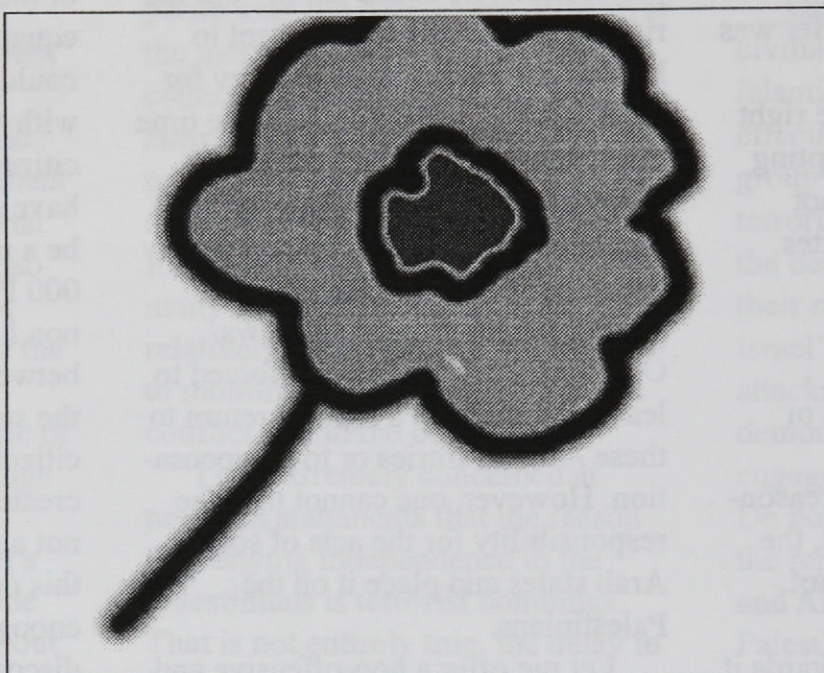
2. I must admit, this was a tricky one. The Battle of Bladensburg took place during the War of 1812, and was fought by British soldiers. Of course, this battle actually took place in 1814 (don't ask why they called it the War of 1812). In retaliation for the burning of York (don't worry, its only Toronto) a year earlier, the British burned down the U.S. capital buildings.

3. The Boer war (1896) was the first time Canadians officially fought as a nation overseas.

4. If you were a *Le Devoir* reader in 1910, you'd probably disapprove of the 'Tin Pot Navy'. Prime Minister Wilfrid Laurier was under great pressure by Imperials to build ships for mother Britain during England's arms race with Germany in the build up to the Great War. On the other side was fierce opposition to any military commitments to Britain from Canada, led by *Le Devoir* editor Henri Bourassa. So Laurier, like a true Canadian politician, created a Canadian Navy as a compromise that no one really approved of: a rela-

tively small navy that would only be available to Britain during an emergency.

5. Canada became a nation, symbolically at least, after capturing Vimy Ridge. Under General Arthur Currie (yeah, the guy the gym is named after) commander of the 1st Canadian Division, Canadian troops captured the heavily fortified higher ground



from the German army. At 5:30am on April 9th 1917, four Canadian divisions fought together for the first time and won a resounding victory. At the time, they made the greatest advances, and captured the most prisoners, of any Allied force in the war.

6. In Newfoundland for many years July 1st was Remembrance Day (and still is to some). July 1st 1917 was the first day of the Battle of the Somme – when, during the first hour of the first day of fighting, all but 68 of the 798 in the Newfoundland division were killed or wounded.

7. The explosion in Halifax Harbour should be recognized by all those die-hard "Heritage Moment" followers. A 8:45am on December 6, 1917

(election day), the Norwegian relief ship *Emo* collided with the French vessel *Mont Blanc*, which was carrying 3,000 tons of munitions and explosives. 2000 Halifax residents were killed, 9000 wounded, and 6 kms² of the city was destroyed. It was the largest man-made explosion until a nuclear weapon was detonated over Hiroshima.

8. The Wartime Elections Act gave the vote to women with husbands or brothers at the front, thereby ensuring victory for the pro-conscriptionist Union government led by Conservative Robert Borden. It also stripped the voting rights of enemy immigrants from the last 15 years.

9. The Treaty of Versailles was important to Canada specifically because the relatively new nation got to officially sign it, just like Australia and New Zealand.

(It was one of the first signs of a crumbling British Empire that Canada would completely break away from during WW2 – only to be drawn into the sphere of another 'empire'.)

10. There were in fact more deaths during the First World War (60,000) than during the Second (42,000).

11. Overseas conscription almost tore the country apart during both wars. After Borden returned from the front in 1917, he broke his no-conscription promise and passes the wartime election act to make sure he got what he wanted (and 90% of those conscripted from across Canada requested an exemption). Similarly, when Defence Minister James Ralston visited the front in 1944, he

broke with the MacKenzie King government and pushed for conscription – with the help of Maple Leafs owner Conn Smythe. Conscription was again implemented in Canada in March 1945.

12. A 'Zombie' was a home-conscript. The National Resources and Mobilization Act allowed for citizens to be conscripted for home defence only, and these men – neither truly active soldiers nor civilians, but somewhere in between – were seen as a sort of the living dead.

13. Thanks to the Statute of Westminster, theoretically Canada was not automatically at war when Britain declared war. In practice, it made little difference as Canada waited a week to declare war, primarily because Britain did first.

14. During the period between the Fall of France and Operation Barbarossa (the invasion of the Soviet Union), Canada was Britain's largest ally.

15. In 1942, the Allies made a raid on Dieppe, on the coast of France. They were brutally repulsed by the Germans, but thanks to the sacrifices of a heavy Canadian contingent, they learned a great deal that was put to use during the successful Normandy Invasion two years later.

16. Tricky question, but there are three acceptable answers: Juno, Sword and Gold. These three beaches were used by British and Canadian forces, while Omaha and Utah were (not surprisingly) the code names of American landing spots.

Chess Corner

by Pablo E. Bustos, Law III

While much of the joy of playing chess comes from the creativity involved in designing new plans, there are a lot of guidelines that are repeated to those just learning how to play, or even among those who have been playing for a while. However, these guidelines remain exactly that, guidelines; one often sees advanced players breaking them.

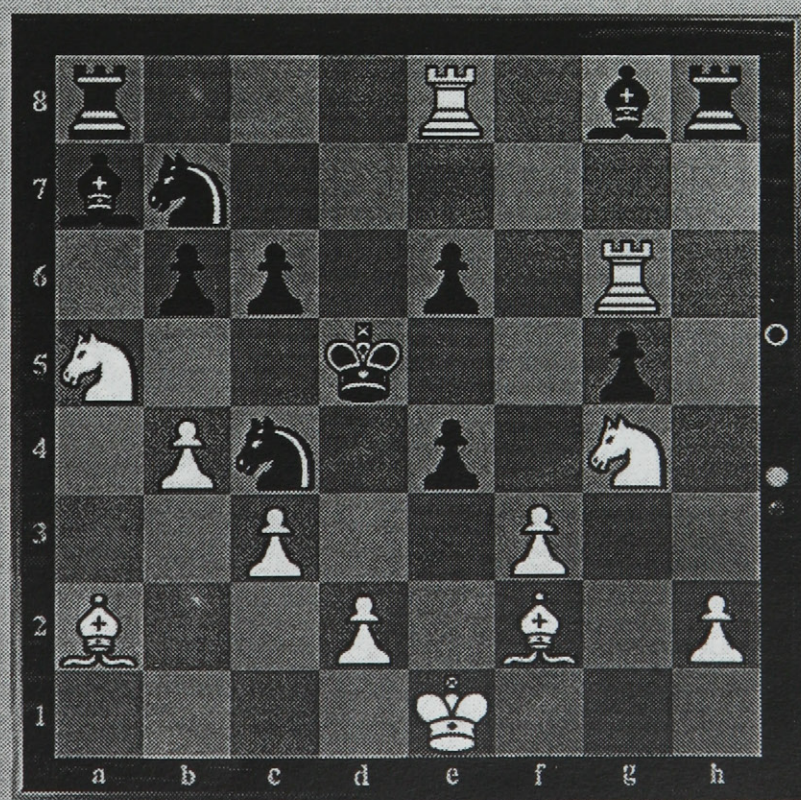
Noticing that many Quid readers are only chess novices, I thought that in at least one chess corner I should repeat what these guidelines are, namely:

- 1) Castle as soon as possible.
- 2) Try to have your pieces control the middle of the board.
- 3) Avoid having your knight on the edge of the board, since doing this would limit its mobility.
- 4) In the end game, remember that a bishop may be better than a knight if your opponents pawns are spread out, since only a bishop would be able to move quickly from one end of the board to the other.
- 5) Take your Queen out as late into the game as possible.
- 6) Try to develop your pieces before starting to attack; when developing your pieces, remember to try to control the middle of the board to obtain the maximum movement and mobility for your pieces.

For those who are still interested in obtaining information about playing organized chess in the faculty, please contact Marc-Etienne Sicard at sicardm@lsa.lan.mcgill.ca

I made this week's problem myself.

White to play and mate in two moves



Solution on Page 23.

Annie Macdonald Langstaff Workshop Series Notice

The Annie Macdonald Langstaff Ateliers 2001-2002 Workshop series
presents

HUMAN RIGHTS LAW AND INDUSTRIAL CITIZENSHIP : CANADIAN AND AUSTRALIAN COLLECTIVE LABOUR LAW AT THE CROSSROADS

Professor Ronald McCallum
Blake Dawson Waldron Professor in Industrial Law
Faculty of Law, University of Sydney - Australia

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Nov. 21 @ 12:30 p.m., Room 202 New Chancellor Day Hall

Named in honour of the first woman law graduate at McGill (1914), who was denied the right to practise in Quebec because of her gender, the workshops provide a forum for scholarly research and practical insights on social justice issues.

Presented by the McGill Faculty of Law in association with Women & the Law/Femmes & Droit, and the Institute of Comparative Law

(See Ad on Pge13.)

Buddha Would Be So Appalled, He Would Spit

By Nadia Fiorita, Law III

By the time the neurons in your head are hitting all the appropriate places so that you can read these very lines, you're already gone. Your mind is elsewhere, isn't it... You're not really reading me, are you? In between my words and your mind, you're slipping in and out. You're really thinking about whether the teacher up front in

class can see you not paying attention to his oh so relevant points which he has repeated 12 times already while you're reading this thing instead. Are you hiding the Quid well enough in your Hilroy? Are your eyebrows choreographed properly into a pretense of thoughtful analysis, and yes, perhaps even intrigue for the teacher to buy? Or, maybe you're really thinking about that pretty girl

in the third row that just ain't giving you the time of day these days and whether she saw you in your new funky pleather at Coffee House while—oh—hold on, is she looking at me...keep pretending, keep reading...keep reading.... la la la la.

And there goes a paragraph in your life, you see, that you will never get back. There goes a moment in time when you could have smelled

the roses and paid attention to the roses and become one with the stinkin' roses but there was always something more interesting, always a more shiny object to widen the doe eyes, to dazzle the senses and make a mistress of your wayward attention.

The thing is, we're basically a bunch of well-dressed forty-year olds inhabiting 20 something bodies. We walk around always living 5 minutes from now into the future, into next Friday when I go out dancing and strut my stuff or in 10 minutes from now and counting when the teacher finally clams up so I can get lunch and end that embarrassment of noises emanating from my stomach. And the noise IS emanating from my stomach. Don't get any ideas.

Long story short, we're never really here. One word reminds you of another, a song triggers a very unsavory memory dragging you kicking and screaming years into the

abyss of the past, a reprimand gets you fretting about the future, an amorous glance gets you thinking about the life force, a bout of gas about whether that no MSG promise at the buffet was just a big tease. You get the picture I imagine.

Stupidities in the past that we can do nothing about, stupidities about the future that will come regardless.

So, what do we do about it? Well, have you ever seen a child pick his nose with something very close to zest? Have you ever seen a kid eat a Granny Smith and look at it and peel the skin and then bite into it again, and then wipe his drooling chin with his grubby fingers and then smile and chew and peel and chew like apples are being rationed or something?

Well that kid has it more together than we do. He is king of the moment and so we should be.

We're never here.

And did you realize that just a little while ago it was September 7?

And did you know that exams are coming and you still haven't got your lazy hands on a summary?

You see, you just did it again.

If we were doing it right, if we were living it right, we would tear this article up right now, the whole thing and ingest this paper whole while we were reading it, all the commas, all the ink and conjunctions and pulp and paper. We would lap it all up and put the bad boy away.

We would enjoy the very moment.

So stop checking the chick out, stop eyeing the teacher for suspicion, stop fidgeting in the pleather and pop a Pepto.

Go ahead, pick your nose. Have an apple. Do as the Buddha: be here now.



fatuous nonsense returns

rebecca hare, law iii

jeremiah was a bullfrog but he seems to have had lots of friends and he also drank wine and i'm not sure what kind of bullfrog he was but that just seems really bizarre, you know? and who were those people who were hanging out with him and drinking his wine and how did they sell that whole concept to their non-bullfrog-consorting friends and didn't people think they were really strange because they were hanging out with a bullfrog and how did they meet jeremiah in the first place? i mean, did he just show up at a party one day with his bottle of wine and then everyone was like 'ok, well he is a bullfrog but hey, i tasted his wine and it's pretty damn good, so can we keep him?' i don't know, the whole thing just seems a bit freaky. and speaking of freaky, how come there are so many mad scientists on television but when you actually need one, they are impossible to find? if anyone knows where i

could make a connection with a mad scientist, i would really appreciate some assistance here...actually, i recently met this guy who makes his living as a scarificationist which i think is pretty close to being a mad scientist. as i understand it, he performs operations on people without a license and mostly he's only concerned with branding but he knows people who do more serious procedures like castration and stuff which i think is pretty fascinating. i mean, did you know that there is an entire community of eunuchs roaming around montreal and maybe you're standing right next to one and you have no idea. fascinating stuff. i wonder if any of the people who hung out with jeremiah were eunuchs? maybe eunuchs and bullfrogs have some sort of special connection? i wonder if the answers to these questions are on the internet somewhere? i am so scared of the internet.

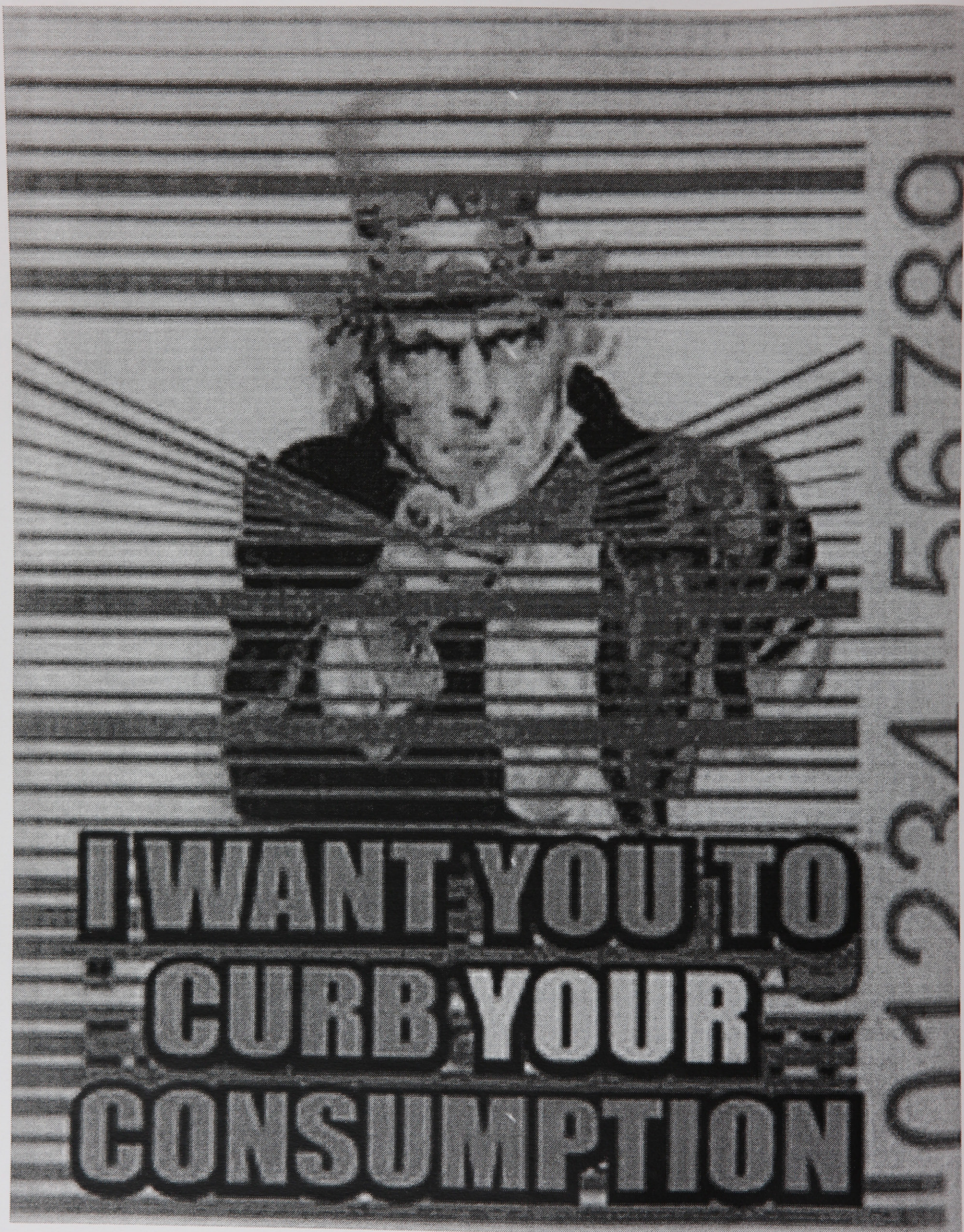
it's just too much information and way too much porn. oh, which remains me that i've been conducting this informal survey in various watering holes around the city and it seems to me that way too many people have given up renting pornography now that it's so widely available on the internet and i think that's so wrong and i think peter north will support me on this one because he just doesn't seem like an internet kind of guy. actually, i haven't met him personally but my friend was once awarded the 'most likely to meet peter north' award at school and i'm hoping to be by her side when the blessed event occurs. i was awarded the 'feminist bitch' award in case you're wondering which you aren't but whatever and if you read all the way to the end of this and are looking for some sort of point in all of this then i guess you don't really understand the meaning of the term fatuous nonsense.

Quid Novi DEADLINE: Friday, 5 p.m.

Solution to the Chess Problem

The white bishop on F2 moves
to G3. Black makes any move.
White mates accordingly.





Career and Placement Office Newsletter

1) 2002 SUMMER INTERNSHIP PROGRAM: FUNDING

The Curtin Justice Fund Legal Internship Program (ABA) is seeking interns to apply for stipends available for the Summer 2002 Program. The students should have a position offered, contingent on funding, from a qualified organization. The program will pay \$2,500 US to students who spend the summer months work working for a bar association or legal services program designed to prevent homelessness or assist homeless or indigent clients or their advocates. The ideal intern will have a demonstrated interest in public interest law and experience working with poor people or on issues affecting them. While all students (including Canadian citizens) are eligible, second and third year students are preferred. The intern must commit no less than 8 continuous weeks between May 1 and October 1 to the program. Applicants must submit the application available at the CPO to Curtin Internship Program, ABA Commission on Homelessness and Poverty, 740 15th St. N. W., Washington, DC 20005. Application must be postmarked no later than March 1, 2002. Early submissions are welcome. For more information: www.abanet.org/homeless/curtin.html.

2) GUIDE TO CAREERS IN PUBLIC INTEREST LAW

U of T just published "Putting the Pieces Together...A Guide to Careers in Public Interest Law". Copies are available at the CPO for \$12.

3) BAC applications: LSUC & Legal Education Society of Alberta LSUC

LSUC: The registrar of the BAC, has asked me to let you know that the BAC Applications will be sent out to the law schools by the end of November 2001. The deadline for receipt of these applications is January 14, 2002. The delay in sending out the Applications relates to changes that were approved by Convocation on October 25. They will be available at OUS.

LESA: The 2002/2003 Bar Admission Course will be offered in Edmonton and Calgary on the following dates:
Three-Week Skills Session: July 8 to 26, 2002/Sept. 23 to Oct. 11, 2002
Five-Week Core Practice Session: Jan. 13 to Feb. 14, 2003/March 10 to April 11, 2003
For further information, please contact: Joann C. Copp, (708) 420-1987, barad@lesa.org, www.lesa.org.

4) EAST/WEST RECRUITMENT PROCESS : Final details

INTERVIEWS IN TORONTO ON NOVEMBER 15th & 16th

Firms will interview off-site at affiliate offices in Toronto or at a downtown hotel. There will be a reception at the Toronto Faculty of Law on Thursday night, November 15th for students selected for interviews in order to meet representatives of the firm(s).

***IMPORTANT: Selected candidates HAVE TO INFORM THE PLACEMENT OFFICE in order to have their nametag ready.

***RECEPTION: There will be a reception for all students being interviewed, representatives from the

law firms and Career Development Officers on Thursday, November 15 from 6 pm to 8 pm at the University of Toronto law school, Flavelle House, Flavelle Room, 78 Queen's Park. I will see you there!

5) LEGAL AID POSITION

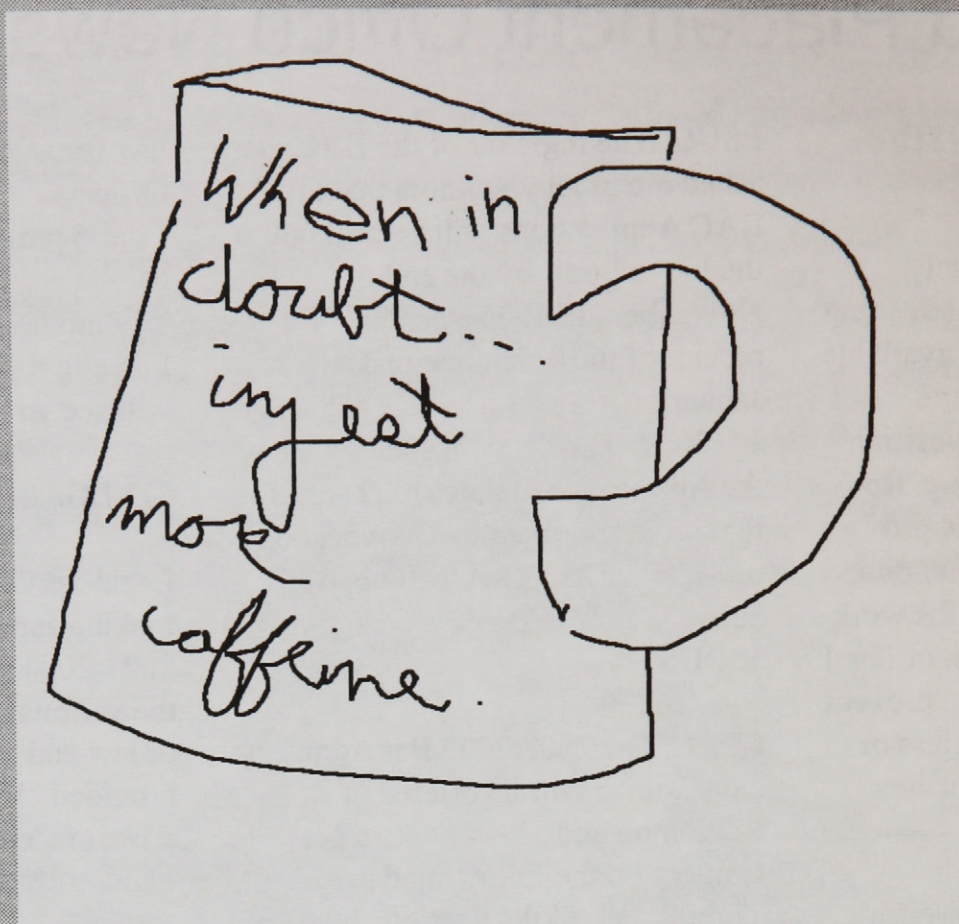
Legal Services Society, Vancouver, is looking for articling students for 2003-2004. General instruction on the various aspects of the practice of law and of professional conduct is provided. Instruction in the areas of Criminal, Immigration, Landlord/Tenant, Family, Welfare and Poverty Law are emphasized. They have 5 articling positions (2 in Vancouver, 1 in Fort St. John, and 2 tbd). Their brochure is available at the placement office. Interested students are invited to send a résumé, cover letter, undergrad transcript, law transcript, and two letters of reference to :

Christal Pendleton
Human Resources Advisor
Legal Services Society
Articled Student Recruitment Committee
Suite 1500 – 1140 West Pender Street
Vancouver, BC, V6E 4G1

Tel : (604) 601-6000
Fax : (604) 682-0725
Web : www.vcn.bc.ca/lssbc/

6) ARTICLING and SECOND-YEAR SUMMER POSITIONS in BC

CLCDN/Quicklaw Survey, Vancouver: Owen, Bird (www.owenbird.com), Stikeman Elliott (www.stikeman.com), McCarthy Tétrault (www.mccarthy.com), Sliman, Stander & Company (www.slimanstander.com), Alexan-



der, Holburn,
Beaudin & Lang (www.ahbl.ca),
Heather Sadler Jenkins – Prince
George –
(Lindsay@hsjlawyers.com) are all
looking for summer 2002 students
and/or
articling students for 2003/2004.
Please check their web sites or the
Survey at the CPO.

7) PART-TIME WORK

Alcan Aluminium, Montréal, doit
procéder à la réorganisation du
classement central de ses Services
juridiques. Ils aimeraient engager
un étudiant de 2e ou 3e année pour
faire le travail : 10-15
heures/semaine sur une base
contractuelle pour une période
pouvant aller
de trois à quatre mois. Tâche : revoir
les dossiers de la technologie
de l'information et de la propriété
intellectuelle; classer les dossiers
inactifs; réorganiser, consolider si
possible, identifier et classer les

dossiers qui demeurent dans un
système de classement déjà établi.

Faire

parvenir votre CV à Mme Madeleine
Desmarais, Service des ressources
humaines par télécopieur : (514) 848-
1275.

8) CPO OFFICE HOURS & OTHER NEWS

Please take note of the new CPO
office hours: Tuesday afternoon,
Wednesday afternoon and Thursday
morning. In order to secure an
appointment, I encourage you to
make an appointment.

It will be away on Nov. 14-15-16 for
the East/West recruitment.
Consequently, there will be no
Newsletter next week.

9) THE LEGAL HANDBOOK

I will be available next week at the
CPO. Il s'agit d'une nouvelle
édition, revue, corrigée et augmentée!

Même bas prix que l'an dernier :
10\$.

Should you require more information,
please contact the Career Placement
Office by e-mail: st-laurent@falaw.lan.mcgill.ca /
placement@lsa.lan.mcgill.ca or by
telephone: (514) 398-6618 / 398-
6159

FOR MORE INFORMATION,
PLEASE CONSULT THE BOARDS

Fasken Martineau DuMoulin LLP

Counsel to/Le conseiller juridique pour Canada Student Law Games Inc.

Fostering the Spirit of the Games

Stimule l'esprit des jeux



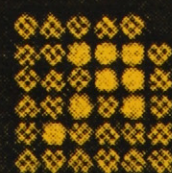
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